



P/4338-6

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

John Mahdessian

Serial No.: 10/660,823

Filed: September 12, 2003

For: COMPREHENSIVE STAIN REMOVAL KIT AND METHOD WITH SUPER
ABSORBENT BACKING MATERIAL

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**DECLARATION OF BRENDAN J. KENNEDY
IN SUPPORT OF THE PETITION FOR ADVANCEMENT OF EXAMINATION**

I, Brendan J. Kennedy, declare that:

1. I am registered to practice before the U.S. Patent and Trademark Office, Registration No. 41,890, and am one of the individuals who is empowered to act in the above-identified application.
2. This declaration is made in support of the Applicant's Petition For Advancement of Examination Under 37 CFR §1.102.
3. The present application is for a utility patent directed to a comprehensive stain removal kit and method with super absorbent backing material. According to an embodiment of the invention, a kit containing packets of cleaning agents, rinsing agents and absorbent material is provided, together with a guide for application of the kit's contents to remove simple and complex stains from a variety of fabrics. According to an embodiment of the invention, a

method is provided for consulting a stain removal guide, applying an absorbent material to one side of a fabric, and alternately applying cleaning solutions and rinses to the other side of the fabric according to the type of stain as indicated in the stain removal guide. The use of the absorbent material in conjunction with the sequence of cleaning solutions and rinses obtains a flow through the fabric to contribute to stain removal through flow mechanics, in addition to the dissolving or solvent action of the cleaning solution and rinses.

4. A listing of each of the references uncovered in the search, along with copies of the references accompanies this declaration and corresponding petition

5. I commissioned a search of pertinent prior art by engaging the patent search firm of Lacasse and Associates, LLC, 1725 Duke Street, Suite 650, Alexandria, Virginia 22314. An on-line search of the records of the United States Patent and Trademark Office and a manual search in the public search room of the United States Patent and Trademark Office were performed in the following areas which were deemed to contain subject matter of interest to one or more of the features of the invention:

A. Classification Search

<u>Class</u>	<u>Subclasses</u>	<u>Description</u>
8/		BLEACHING AND DYEING; FLUID TREATMENT AND CHEMICAL MODIFICATION OF TEXTILES AND FIBERS
	137	CLEANING OR LAUNDERING
	137.5	..Removing formation impurities from artificial fiber
510/		CLEANING COMPOSITIONS FOR SOLID SURFACES, AUXILIARY COMPOSITIONS THEREFOR, OR PROCESSES OF PREPARING THE COMPOSITIONS
	277	...Multifunctional assembly (e.g., package with detergent and prespotter in separate containers, etc.)
	281	...For removing stains (other than merely in the course of laundering or dry-cleaning operation)

...For removing stains caused by iron, aluminum, or protein containing material (e.g., rust, aluminum marks, blood, food, etc.).

6. The following documents were uncovered as a result of the search:

<u>Patent No. or Publication No.</u>	<u>Inventor(s)</u>
6,243,969 B1	Yeazell
6,514,924 B1	Van Hauwermeiren et al.
2001/0022007 A1	Yeazell
2002/0078510 A1	Lee
2003/0008799 A1	Barnabas et al.
2003/0060396 A1	Deak et al.
2003/0087781 A1	Van Hauwermeiren et al.

7. The following constitutes a summary of the above references:

2001/0022007 Yeazell

The patent application to Yeazell (2001/0022007 A1), assigned to The Procter & Gamble Company, provides for Bagless Dry Cleaning Kits and Processes for Dry Cleaning. Discussed is a process for treating garments with localized stains which comprises the steps of: placing a localized stain area of the fabric article over and in contact with an absorbent stain receiver article; and applying enough pre-treating composition to the fabric article to saturate the localized stained area (see paragraphs 1, 16 and 87). Note: *Please see inventor-related U.S. Patent 6,243,969 B1 for similar disclosure.*

2002/0078510 A1 to Lee

The patent application publication to Lee (2002/0078510 A1) provides for Methods and Devices for Cleaning Soiled Fabrics. An absorbent-containing absorbing material is placed on one surface of the soiled fabric, and the chamber containing cleaning solution is placed on the opposite surface of the fabric. The fluid cleaning solution 2 flows from the fluid source 1 to the

fluid receptacle 3 during the process of removing the undesirable substance or stain 4 from the fabric 5 (see paragraphs 24 and 25; and figures 1, 2 and 3).

2003/0060396 A1 to Deak et al.

The patent application publication to Deak et al. (2003/0060396 A1) provides for Compositions and Methods for Removal of Incidental Soils from Fabric Articles. The soil removal composition is used in conjunction with an absorbent soil receiver and is releasably housed within a container, which is provided with a dispensing means. The absorbent soil receiver can be any absorbent material which imbibes the composition used in the pre-spotting operation. The soil removing composition plus instructions for using may be incorporated into kits (see paragraphs 117, 119 and 121). *Note Please see U.S. patent application publication 2003/0008799 A1 for similar disclosure.*

20030087781 A1 to Van Hauwermeiren et al.

The patent application publication to Van Hauwermeiren et al. (2003/0087781 A1) provides for Bleach Containing Compositions for Stain Removal and Methods of Heat Activation of the Bleach. Disclosed is a spot removal kit, comprising a portion of a spot cleaning composition and one or more absorbent stain receiver articles (stain receiver). The stain receiver is designed specifically to wick or draw the liquid compositions away from the stained area (see paragraphs 54, 62, and 72). *Note: Please see inventor-related U.S. patent 6,514,924 B1 for similar disclosure.*

8. The prior art, taken alone or in combination, does not fairly disclose or suggest the unique elements recited in the claims of the present invention. Specifically, none of the references disclose or suggest a comprehensive stain removal kit or method involving the use of an absorbent material on one side of the fabric and the application of a sequence of one or more cleaning solutions interleaved with rinses to another side of the fabric, with the sequence being

selected from a stain removal guide. The invention is therefore both novel and non-obvious over the uncovered references.

9. Based upon the foregoing observations regarding the prior art, it is my opinion that the claims in the present application are allowable over the prior art.

10. I further declare that all statements made herein of my own knowledge are true, except for those statements made on information and belief, which are believed to be true; and further that these statements are made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this declaration, this application and any patent resulting therefrom.

Dated: November 4, 2003

Brendan J. Kennedy
Brendan J. Kennedy

BJK:gl

Enclosures: References

Form PTO-1449